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U.S. PTO

EU815579115US

Docket No.: L187-1

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Mail Stop Patent Application  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

NEW UTILITY PATENT APPLICATION TRANSMITTAL

Transmitted herewith for filing is the patent application of Inventor(s):

JENNIFER L. ELSTER  
MARK E. JONES  
CHARLES D. PENNINGTON  
JOSHUA P. AVERETT

*WARNING: Patent must be applied for in the name(s) of all of the actual inventor(s). 37 CFR 1.41 (a) and 1.53(b).*

For (title): FIBER-OPTIC FLOW CELL AND METHOD RELATING THERETO

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CERTIFICATION UNDER 37 CFR 1.10

I hereby certify that this New Utility Patent Application Transmittal and the documents referred to as enclosed therein are being deposited with the United States Postal Service on this date October 28, 2003, in an envelope as "Express Mail Post Office to Addressee" Mailing Label Number EU815579115US addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

  
JOY L. BRYANT

NOTE: Each paper or fee referred to as enclosed herein has the number of the "Express Mail" mailing label placed thereon prior to mailing. 37 CFR 1.10(b).

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TYPE OF APPLICATION

This new application is for a(n)

- Original (nonprovisional)
- Divisional
- Continuation
- Continuation-in-part (C-I-P)

BENEFIT OF PRIOR U.S. APPLICATION(S) (35 U.S.C. §§119(e), 120, or 121)

- The new application being transmitted claims the benefit of prior U.S. application(s).
- This application claims the benefit of U.S. Provisional Application(s) No(s).:  
Application No(s).:  
60/422,495 Filing Date  
October 31, 2002

— This application is a  
— Continuation  
— continuation-in-part  
— divisional  
— of copending application(s)  
— application number \_\_\_\_\_ filed on \_\_\_\_\_  
— International Application \_\_\_\_\_ filed on \_\_\_\_\_  
and which designated the U.S.

— The nonprovisional application designated above, namely application \_\_\_\_\_, filed on \_\_\_\_\_, claims the benefit of U.S. Provisional Application(s) No(s).: \_\_\_\_\_ filed \_\_\_\_\_.

**PAPERS ENCLOSED WHICH ARE REQUIRED FOR FILING DATE UNDER 37 CFR 1.53(b)**

15 Pages of Specification  
6 Pages of Claims  
1 Page(s) of Abstract  
14 Sheet(s) of Formal Drawings

**ADDITIONAL PAPERS ENCLOSED**

— Preliminary Amendment  
 Information Disclosure Statement/PTO-1449  Copies of IDS Citations  
— Declaration of Biological Deposit  
— Submission of "Sequence Listing," computer readable copy and/or amendment pertaining thereto for biotechnology invention containing nucleotide and/or amino acid sequence.  
— Authorization of Attorney(s) to Accept and Follow Instructions from Representative  
— Special Comments  
 Return Receipt Postcard  
 Additional Enclosures  
 USPTO Print EFS Form

**DECLARATION OR OATH**

Enclosed executed by (check all applicable boxes):  
 Inventor(s).  
— legal representative of inventor(s). 37 CFR 1.42 or 1.43.  
— joint inventor or person showing a proprietary interest on behalf of inventor who refused to sign or cannot be reached.  
— This is the petition required by 37 CFR 1.47 and the statement required by 37 CFR 1.47 is also attached. See item 13 below for fee.  
— Not Enclosed.

**LANGUAGE**

English  
— Non-English. Verified English translation is attached. 37CFR1.52(d)

**ASSIGNMENT**

- An assignment of the invention to \_\_\_\_\_ is attached.
- A separate "Cover Sheet for Assignment (Document) Accompanying New Patent Application" is also attached.
- Form PTO 1595 is also attached.

An assignment of the invention to Luna Innovations, Inc. will follow.

*NOTE: "If an assignment is submitted with a new application, send two separate letters-one for the application and one for the assignment." Notice of May 4, 1990 (1114 O.G. 77-78).*

**CERTIFIED COPY**

Certified copy(ies) of application(s)

| (Country)  | (Appln. no.)     | (Filed) |                     |                  |
|--|------------------|---------|---------------------|------------------|
| from which priority is claimed   |                  |         |                     |                  |
| <input type="checkbox"/> is (are) attached.  |                  |         |                     |                  |
| <input type="checkbox"/> will follow.  |                  |         |                     |                  |
| <input checked="" type="checkbox"/> Does not apply.  |                  |         |                     |                  |
| <b>SMALL ENTITY STATUS</b>   |                  |         |                     |                  |
| <input checked="" type="checkbox"/> Applicant claims small entity status. (37 C.F.R. 1.27) |                  |         |                     |                  |
| <b>FEE CALCULATION (37 CFR 1.16) FOR REGULAR UTILITY APPLICATION</b>                       |                  |         |                     |                  |
| <b>Utility filing fee <u>\$385.00</u> (Small entity fee) Subtotal (1)</b>                  |                  |         |                     |                  |
| Claims:  |                  |         |                     |                  |
| Total Claims   | <u>52</u> - 20 = | 32 X    | Fee (small entity)  | Fee Paid         |
| Independent Claims   | <u>3</u> - 3 =   | 0 X     | \$9.00              | \$ 288.00        |
| Multiple Dependent claims  | 0                | X       | \$42.00             | \$ 0.00          |
|  |                  |         | \$145.00            | \$ 0.00          |
| <b>Total Fee: <u>\$673.00</u> (Subtotal (1) + Subtotal (2))</b>                            |                  |         | <b>Subtotal (2)</b> | <b>\$ 288.00</b> |

**FEE PAYMENT BEING MADE AT THIS TIME**

- Not Enclosed
  - No filing fee is to be paid at this time. (*This and the surcharge required by 37 C.F.R. 1.16(e) can be paid subsequently.*)
- Enclosed
  - Basic filing fee \$673.00
  - Recording assignment
    - (See attached "Cover Sheet for Assignment Accompanying New Application.")
    - Petition fee for filing by other than all the inventors or person on behalf of the inventor where inventor refused to sign or cannot be reached.
    - For processing an application with a specification in a non-English language.
    - Processing and retention fee.
    - Fee for international-type search report.

Total Fees enclosed **\$673.00**.

**METHOD AND PAYMENT OF FEES**

A check made payable to the Commissioner for Patents for the sum of \$673.00 is enclosed.

**INSTRUCTIONS AS TO OVERPAYMENT**

Refund



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**STATEMENT WHERE NO FURTHER PAGES ADDED**

This transmittal ends with this page.